

NOTICE OF RULE ADOPTION—FINAL RULE

STATE OF MISSISSIPPI  
Mississippi Department of Environmental Quality  
Air Division

FILED  
NOV 20 2006

MISSISSIPPI  
SECRETARY OF STATE

Mississippi Department of Environmental Quality  
Attn: Ted Lampton, Legal Division  
P.O. Box 10385  
Jackson, Mississippi 39289  
601-961-5171  
Ted\_Lampton@deq.state.ms.us

Specific Legal Authority Authorizing the promulgation of  
Rule: §49-2-9(1) MS Code Annotated.

Reference to Rules repealed, amended or suspended by the  
Proposed Rule. "Acid Rain Program Permit Regulations for  
Purposes of Title IV of the Federal Clean Air Act", APC-S-7

Date Rule Proposed: September 15, 2006

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule: The amendments to "Acid Rain Program Permit Regulations for Purposes of Title IV of the Federal Clean Air Act", APC-S-7 involve adopting, by reference, Acid Rain Program Permit Regulations that have been promulgated by the U.S. Environmental Protection Agency in 40CFR Parts 72 and 76 since November 20, 2003, as of September 15, 2006.

The Agency Rule Making Record for this rule including any written comments received during the comment period and the record of any oral proceeding is available for public inspection by contacting the Agency at the above address.

☒ An oral proceeding was held on this rule:

Date: October 17, 2006

Time: 10:00 a.m. CDT

Place: Mississippi Dept. of Environmental Quality, 101 W. Capitol St., Jackson, Mississippi

☐ An oral proceeding was not held on this rule.

The Agency has considered the written comments and the presentations made in any oral proceedings, and

☒ This rule as adopted is without variance from the proposed rule.

☐ This rule as adopted differs from the proposed rule as there are minor editorial changes which affect the form rather than the substance of the rule.

☐ The rule as adopted differs from the proposed rule. The differences however are:

Within the scope of the matter in the notice of proposed rule adoption,

The logical outgrowth of the contents of the Notice of Proposed Rule Adoption and the comments submitted response thereto, and

The Notice of Proposed rule Adoption provided fair warning that the outcome of the proposed rule adoption could be the rule in question.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Effective Date of Rule: Adopted November 16, 2006

Effective 30 days after filing

Ted Lampton

Ted Lampton, Senior Attorney, MDEQ

Signature and Title of Person Submitting Rule for Filing